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TO: USPTO MS AMENDMENT

FROM: Jeffery L. Cameron

Attn: Ex. Chi Q. Nguyen

FAX: (571) 273-8300

DATE: December 14, 2007

You should receive 3 pages including cover sheet

Applicant: Jonathan T. Miller  
Serial No.: 10/668,637  
Filed: September 22, 2003Confirmation No. 2176  
Examiner: Chi Q. Nguyen  
Art Unit: 3635  
Docket: 112.0010001

Title: MARKETING, DESIGN, AND CONSTRUCTION TECHNIQUES FOR BUILDINGS

**MS AMENDMENT**Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items and information (as indicated with an "X"):

☒ Response to Notice of Non-Compliant Amendment (2 pgs.).**\*PLEASE ASSOCIATE THIS APPLICATION WITH CUSTOMER NUMBER 38356\***

**CERTIFICATE UNDER 37 C.F.R. §1.8:** The undersigned hereby certifies that this correspondence is being transmitted to the United States Patent Office facsimile number (571) 273-8300 on

12/14/2007Sarah L. Reinhard  
NameSarah L. Reinhard  
Signature

Respectfully Submitted,

By: Jeffery L. Cameron  
Attorney/Agent for Applicant(s)

Reg. No.: 43,527

Date: December 14, 2007Phone: (612) 236-0121

1221 Nicollet Avenue, Suite 500, Minneapolis, MN 55403 Telephone: 612-659-9340 Fax: 612-659-9344

Rev. 12/04

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Application No. : 10/668,637 Confirmation No.: 2176 **DEC 14 2007**  
Applicant : Jonathan T. Miller  
Filed : September 22, 2003  
TC/A.U. : 3635  
Examiner : Chi Q. Nguyen  
Docket : 112.0010001  
Customer No. : 38356

**MS AMENDMENT**

Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT  
AMENDMENT (37 CFR § 1.121)**

Dear Examiner Nguyen:

Applicant would like to thank Examiner Nguyen for his quick response to my telephone inquiry regarding this Notice and his guidance on the proper response thereto. Applicant has reviewed the Notice of Non-Compliant Amendment of November 16, 2007, and has reviewed the Restriction Response filed on August 24, 2007 which was the subject of the Notice and has found no error with respect to the identifiers used.

Specifically, Applicant made his election with traverse and believes that the correct practice for responding with traverse is to list all claims as "Original" or "Previously Presented" pending the Examiner's determination on Applicant's arguments regarding whether the restriction should be maintained. If the Examiner finds the arguments unpersuasive, then in Applicant's next Response, the Applicant will list the claims as "Withdrawn" since the Examiner will have made the Restriction Requirement Final at that point and the status of the claims will be settled.

Rev. 12/06

Page 1 of 2

Application No. 10/668,637  
Amendment dated December 14, 2007  
Reply Notice of Non-Compliant Amendment of November 16, 2007

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CONCLUSION

Per Applicant's discussion with Examiner Nguyen, this response adequately clarifies the issue and that the claim status is proper as filed. Accordingly, Applicant's Response of August 24, 2007 should be deemed proper.

Applicant respectfully submits that the claims are in condition for allowance and reconsideration and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (612) 236-0121 to facilitate prosecution of this matter.

CERTIFICATE UNDER 37 C.F.R. §1.8: The undersigned hereby certifies that this correspondence is being transmitted to the United States Patent Office facsimile number (571) 273-8300 on

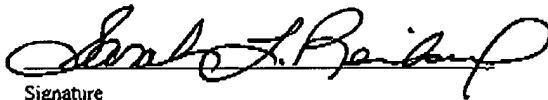
12/14/2007

Sarah L Reinhard

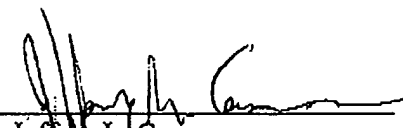
Name

Respectfully Submitted,  
Jonathan T. Miller

By Applicant's Representatives,  
Brooks, Cameron & Huebsch, PLLC  
1221 Nicollet Avenue, Suite 500  
Minneapolis, MN 55403

  
Signature

By:

  
Jeffrey L. Cameron  
Reg. No. 43,527

Date:

12/14/07